

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROGER HULL,) 3:11-cv-00535-LRH (WGC)
Plaintiff,)
vs.) **ORDER**
GREG COX, et al.,)
Defendants.)

Defendants have filed a Motion to Dismiss, arguing that Plaintiff failed to exhaust his administrative remedies prior to filing suit. (Doc. # 15.)¹ The court orders this motion set for an evidentiary hearing on **Monday, April 23, 2012 at 1:30 p.m.** The Office of the Attorney General shall arrange for the plaintiff to be present by telephone and shall contact the courtroom administrator, Jennifer Cotter (775-686-5758), at least two (2) days prior to the hearing to advise her of the number where Plaintiff may be reached at the time of the hearing.

The court further orders that defense counsel be prepared to address, or have a representative of the Nevada Department of Corrections present to address the following:

(1) The gap between the date of Plaintiff's second level grievance for grievance 2006-28-96921, April 11, 2011, and the date it is stamped received by the prison, June 16, 2011.
(See Doc. # 15-2 at 43-44.)

(2) The gap between the date of Plaintiff's informal level grievance for grievance 2006-29-16061, December 22, 2010, and the date it is stamped received by the prison, March 2, 2011, some three months later. (See Doc. # 15-2 at 55-57.)

¹ Refers to court's docket number.

1 (3) The gap between the date of Plaintiff's second level grievance for grievance 2006-
2 29-16061, August 30, 2011, and the date it is stamped received, November 9, 2011. (See
3 Doc. # 15-2 at 68-69.)

4 The court would like Defendants to address the foregoing in light of the fact that
5 Administrative Regulation (AR) 740 provides that grievances are gathered daily (excluding
6 weekends and holidays) (Doc. # 15-1 at 52), and the purpose of the grievance process is the
7 "prompt and fair resolution of, inmate problems and concerns." (Doc. # 15-1 at 52.)

8 **IT IS SO ORDERED.**

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10 DATED: April 2, 2012.

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12 WILLIAM G. COBB
13 UNITED STATES MAGISTRATE JUDGE

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